

REMARKS

Claims 1, 3-4, 6-15, 27-29, and 31-35 are currently pending in the application. Claims 1, 6, 27, and 33 have been amended. Claim 5 has been canceled. Applicant respectfully submits that no new matter has been added. Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and the following remarks.

Claims 1, 3-12, 27-29, and 31-32 stand rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-38 of U.S. Patent No. 6,396,612 to Bjorndahl ("Bjorndahl"). In response, Applicant submits herewith a terminal disclaimer under 37 CFR § 1.321(c). Applicant respectfully requests that the double-patenting rejection of claims 1, 3-12, 27-29, and 31-32 be withdrawn.

Claims 1, 3-15, 27-29, and 31-35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,479,595 to Israelsson ("Israelsson") in view of U.S. Patent No. 5,608,723 to Felsenstein ("Felsenstein").

Israelsson is generally directed to a mobile telephone for communication between mobile stations and base stations. Such communications may be effected either by radio waves or with light. Certain mobile stations may be capable of being switched between signal transmission with radio waves and signal transmission with light, which enables these stations to be used in both systems.

Felsenstein discloses a method and a system for wireless communications within a predetermined boundary. A message is encoded using a preselected code and transmitted using a radiofrequency signal. A code signal representative of the preselected code is also transmitted, wherein the code signal is confined within the predetermined boundary. At a receiving end, the encoded message represented by the radiofrequency signal is decoded based upon the received preselected code.

Applicant respectfully submits that the cited combination of Israelsson and Felsenstein fails to teach, suggest, or render obvious at least one of the distinguishing features of

independent claim 1, namely, wherein, upon a second device switching transceiving to a first communication mode, the second device transmits an infrared request message to a first device. Israelsson discloses a switch for switching between radio-wave transmission mode and a light transmission mode. Israelsson further discloses automatic switching between radio signal and light-signal transmission. While Israelsson teaches switching between radio-wave transmission mode and a light transmission mode, Applicant respectfully submits that Israelsson does not disclose transmission of an infrared request message from a second device to a first device. Felsenstein discloses a code signal representative of a preselected code; however, the preselected code is transmitted automatically from a transmitter unit. Thus, Felsenstein does not teach or suggest a second device transmitting an infrared request message to a first device. Thus, Felsenstein does not cure the deficiencies of Israelsson. Applicant respectfully submits that independent claim 1 distinguishes over the cited combination of Israelsson and Felsenstein. Withdrawal of the rejection of independent claim 1 is respectfully requested.

Dependent claims 3-4 and 6-15 depend from and further restrict independent claim 1 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 1, dependent claims 3-4 and 6-15 distinguish over the cited references and are in condition for allowance. Withdrawal of the rejection of dependent claims 3-4 and 6-15 is respectfully requested.

Independent claim 27 is directed to a transceiving device for secure wireless communications in a communications system. Applicant respectfully submits that the cited combination of Israelsson and Felsenstein fails to teach, suggest, or render obvious at least one of the distinguishing features of independent claim 27, namely, wherein, upon a transceiving device switching transceiving to an infrared transceiving means, the transceiving device transmits an infrared request message to a second transceiving device.

Israelsson discloses a switch for switching between radio-wave transmission mode and a light transmission mode. Israelsson further discloses automatic switching between radio signal and light-signal transmission. While Israelsson teaches switching between radio-wave transmission mode and a light transmission mode, Applicant respectfully submits that Israelsson does not disclose wherein upon a transceiving device switching transceiving to an infrared transceiving means, the transceiving device transmits an infrared request message to a second

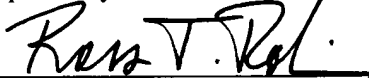
transceiving device. Felsenstein discloses a code signal representative of a preselected code; however, the preselected code is transmitted automatically from a transmitter unit. Thus, Felsenstein does not teach or suggest a transceiving device transmitting an infrared request message to a second transceiving device. Thus, Felsenstein does not cure the deficiencies of Israelsson. Applicant respectfully submits that independent claim 27 distinguishes over the cited combination of Israelsson and Felsenstein. Withdrawal of the rejection of independent claim 27 is respectfully requested.

Dependent claims 28-29 and 31-35 depend from and further restrict independent claim 27 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 27, dependent claims 28-29 and 31-35 distinguish over the cited references and are in condition for allowance. Withdrawal of the rejection of dependent claims 28-29 and 31-35 is respectfully requested.

In view of the above, each of the presently-pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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